

U.S. DISTRICT COURT  
FOR THE WESTERN DISTRICT

OF PENNSYLVANIA

\* \* \* \* \*

CLAUDETTE DE LEON, \*

Plaintiff \* Case No.

vs. \* 05-126E

CRAWFORD CENTRAL \*

SCHOOL DISTRICT \*

CRAWFORD CENTRAL \*

SCHOOL BOARD, \*

Defendants \*

MICHAEL E. DOLECKI, \*

Superintendent, \*

Defendant \*

CHARLES E. HELLER, \*

III, Assistant \*

Superintendent \*

Defendant \*

DEPOSITION OF

CAROL A. TEMPLETON

April 25, 2006

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EXHIBIT

4

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<p>1 DEPOSITION 2 OF 3 CAROL A. TEMPLETON, taken on behalf of 4 the Defendants herein, pursuant to the 5 Rules of Civil Procedure, taken before 6 me, the undersigned, Jacqueline L. 7 Hazlett, a Court Reporter and Notary 8 Public in and for the Commonwealth of 9 Pennsylvania, at Crawford Central 10 School District Administrative Offices, 11 11280 Mercer Pike, Meadville, 12 Pennsylvania, on Tuesday, April 25, 13 2006, beginning at 10:01 a.m. 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>1 INDEX 2 3 WITNESS: CAROL A. TEMPLETON 4 EXAMINATION 5 By Attorney Heath 7 - 56 6 EXAMINATION 7 By Attorney Nichols 56 - 109 8 RE-EXAMINATION 9 By Attorney Heath 110 - 112 10 CERTIFICATE 113 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
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<p>1 A P P E A R A N C E S 2 3 CALEB NICHOLS, ESQUIRE 4 P.O. Box 1585 5 Erie, PA 16507 6 COUNSEL FOR PLAINTIFF 7 8 ROBERTA BINDER HEATH, ESQUIRE 9 Andrews &amp; Beard 10 3366 Lynwood Drive 11 P.O. Box 1311 12 Altoona, PA 16603 13 COUNSEL FOR DEFENDANTS 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>1 EXHIBIT PAGE 2 3 PAGE 4 NUMBER DESCRIPTION IDENTIFIED 5 1 1/18/94 Letter to 12 6 LaScola 7 2 1/5/94 Tardiness 19 8 Letter 9 3 9/18/97 McCall Letter 27 10 4 10/10/97 Memo 24 11 5 10/3/97 Letter 25 12 6 Questionnaire 43 13 7 2/29/96 Tape Recording 75 14 Memo 15 8 3/19/96 Videotape Memo 82 16 10 10/1/97 Letter - 17 17 Detentions 89 18 11 Satisfactory 19 19 Evaluations 102 20 21 22 23 24 25</p>

<p>1 OBJECTION PAGE</p> <p>2</p> <p>3 ATTORNEY PAGE</p> <p>4 Heath 72, 82, 84, 89, <del>92</del> 93,</p> <p>5 95, 97, 101, 106</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>Page 6</p> <p>1 disability. And we are here today to</p> <p>2 get your best recollection of your</p> <p>3 interactions with Ms. de Leon and some</p> <p>4 of your background information and your</p> <p>5 recollection and your take on the</p> <p>6 issues involved.</p> <p>7 As you can see, we have a</p> <p>8 Court Reporter here taking down</p> <p>9 everything that anyone in this room</p> <p>10 would say. Therefore, it's important</p> <p>11 that only one person speak at a time.</p> <p>12 So I would ask that when I'm asking a</p> <p>13 question, you wait and let me finish my</p> <p>14 question before you answer the</p> <p>15 question, similarly with Mr. Nichols.</p> <p>16 Wait until he finishes asking you the</p> <p>17 question before you answer. Also,</p> <p>18 there may be an objection posed by an</p> <p>19 attorney. If either side poses an</p> <p>20 objection, please stop speaking until</p> <p>21 we have taken care of that aspect.</p> <p>22 Again, because there is a Court</p> <p>23 Reporter, I would ask that you keep</p> <p>24 your responses verbal as she cannot</p> <p>25 take down a gesture such as a nod or a</p> <p>Page 8</p>
<p>1 P R O C E E D I N G S</p> <p>2 -----</p> <p>3 CAROL A. TEMPLETON, HAVING FIRST BEEN</p> <p>4 DULY SWORN, TESTIFIED AS FOLLOWS:</p> <p>5 -----</p> <p>6 EXAMINATION</p> <p>7 BY ATTORNEY HEATH:</p> <p>8 Q Could you state and spell your</p> <p>9 name for the record, please?</p> <p>10 A My name is Carol Ann Templeton,</p> <p>11 C-A-R-O-L, A-N-N, T-E-M-P-L-E-T-O-N.</p> <p>12 Q Mrs. Templeton, my name is Robin</p> <p>13 Binder Heath and I represent the</p> <p>14 Crawford Central School District</p> <p>15 concerning an action brought by Ms. de</p> <p>16 Leon in Federal Court against the</p> <p>17 District and Mr. Dolecki and Mr. Helter</p> <p>18 in their capacities individually and</p> <p>19 also in their capacities as</p> <p>20 superintendent and assistant</p> <p>21 superintendent. And essentially, this</p> <p>22 case involves claims that Ms. de Leon</p> <p>23 was subjected to an ongoing pattern of</p> <p>24 harassment due to her national origin,</p> <p>25 her gender, and a perceived mental</p> <p>Page 7</p>	<p>1 shrug or things like uh-uh or uh-huh.</p> <p>2 Please say yes or no. If you don't</p> <p>3 understand my question, please let me</p> <p>4 know and I'll be happy to repeat or</p> <p>5 rephrase it for you. If you need to</p> <p>6 take a break at any time, let me know</p> <p>7 and we can accommodate you. Any</p> <p>8 questions?</p> <p>9 A No.</p> <p>10 Q Are you currently employed?</p> <p>11 A No.</p> <p>12 Q And are you retired from the</p> <p>13 School District?</p> <p>14 A Yes, I am.</p> <p>15 Q When did you retire?</p> <p>16 A I retired in 1999.</p> <p>17 Q And what was the last position</p> <p>18 you held with the School District?</p> <p>19 A I was the assistant principal</p> <p>20 for ten years.</p> <p>21 Q So approximately 1989 to 1999?</p> <p>22 A Correct.</p> <p>23 Q Could you just give us a brief</p> <p>24 synopsis of your educational background</p> <p>25 beginning with your college?</p> <p>Page 9</p>

<p>1 AOkay. I didn't have college 2 prep when I was in high school. I had 3 no intention of coming to college. And 4 then my husband had a heart attack, so 5 I started college as an adult student. 6 I went to Seton Hill College, which is 7 an excellent college. I was on the 8 honor roll several times. After I 9 graduated from Seton Hill College, I 10 got a job with Norwin High School in 11 the Norwin School System. I worked 12 there as a home economics teacher and 13 department chairman for 18 years. 14 During that time, I got my 15 Master's Degree in Home Economics 16 Education. Then I started on another 17 program at Edinboro University to get 18 my certificate for administration. I 19 think it was about 1988, I believe. I 20 had that. I did my internship under 21 George Deshner. And the following 22 fall, I was hired. After that I went 23 back to school again and received 24 another certificate in elementary 25 administration.</p>	<p>1 Claudette de Leon? 2 AYes, I do. 3 QAnd at the time, what was her 4 last name? Do you remember? 5 A Mitchell, I think. 6 QOkay. It may have been 7 McCracken, also? 8 AYes. 9 QLet me just try to focus your 10 attention, if I may, and I know it's 11 quite some time ago, on the 1993 to 12 1994 school year. Do you recall any 13 issues concerning tardiness or a 14 failure to follow proper call-off 15 procedure being an issue with Ms. de 16 Leon? 17 A I don't recall anything 18 specific. Apparently, there was 19 something written in the handouts that 20 you gave me regarding --- 21 Q I'm going to mark this letter as 22 Templeton One. 23 (Templeton Exhibit One 24 marked for 25 identification.)</p>
<p>1 QSo you have a certificate for 2 both secondary administration and 3 elementary? 4 AYes. And while I was teaching, 5 toward the last year that I was 6 teaching, I was chosen as teacher of 7 the year from Seton Hill College. And 8 I was the only one there who was 9 selected by two students, not one. It 10 probably was the highlight of my 11 career. 12 Q And as an assistant principal, 13 would you describe your duties 14 generally, and also as they related to 15 personnel or supervisory issues over 16 professional staff? 17 AOkay. At the very beginning, we 18 were given student discipline mostly, 19 and observations, teacher observations, 20 teacher conferences. That was the --- 21 primarily the crew of my work. 22 Absenteeism. 23 QOf students or teachers? 24 ABoth. 25 QDo you recall dealing with</p>	<p>1 AAnd what page would that be? 2 Oh, is this where it starts out, Mr. 3 LaScola? '94? 4 BY ATTORNEY HEATH: 5 QYes. Let's take a look at this 6 January 18th, 1994 letter, please, --- 7 AYes. 8 Q--- from Claudette Mitchell to 9 Mr. LaScola. 10 AAll right. In the second 11 paragraph, my name is mentioned about 12 telling her that I wouldn't be able to 13 find a substitute and that I made her 14 come into school sick. I don't recall 15 that ever happening. That wasn't the 16 normal procedure at the time. When the 17 teachers called in sick, they called 18 into the office and/or the --- what's 19 it called, a service that provided 20 substitute teachers for them. If there 21 wasn't a substitute available, the 22 school secretaries alerted me. And I 23 never told a teacher that she had to 24 come into work if she was sick. I 25 never even asked them what was wrong</p>

<p>Page 14</p> <p>1 with them because I thought that was  2 their business. I was a teacher for 18  3 years. And teachers get sick a lot, so  4 I never --- I felt if they were sick  5 enough that they had to call in, then  6 we would do the best we could to find a  7 substitute for them. And I was the one  8 that was in charge of filling in the  9 blocks and the class periods for them  10 if we couldn't find a sub. And what we  11 would do, we'd get teachers who had  12 other duties and kind of jockey them  13 around to fill her schedule. And  14 sometimes we had up to three or four  15 teachers that out without subs. And if  16 we had to, the administrators led the  17 classrooms. But I never, ever told a  18 teacher to come in if they were sick.  19 Q In looking at the same letter,  20 Exhibit One, on the second page, top  21 paragraph, Ms. de Leon is indicating  22 that you had talked to her about  23 student discipline and Mr. Deshner had  24 talked to her about the way she handled  25 student discipline. And do you recall</p>	<p>Page 16</p> <p>1 get points for them. And then whenever  2 they reached a number of points, then  3 they would get some kind of penalty, a  4 consequence.  5 Q And was that an issue or a  6 problem that Ms. de Leon had?  7 A Well, I suggested it to her that  8 she would do that.  9 Q What had she been doing  10 previously?  11 A They were coming to the office  12 constantly for minor infractions, for  13 things, I don't know, even time-outs.  14 We had more people coming from her  15 class than any other class, and more  16 than one. Sometimes there was like a  17 quarter of her class that would come  18 into my office about something that was  19 happening in her classroom. So we had  20 a real problem there.  21 Q Did you ever say --- if you look  22 at the top of the last paragraph on  23 page two of Exhibit One, Mrs. Templeton  24 told me that I should be able to handle  25 my discipline problems within my</p>
<p>Page 15</p> <p>1 any discussion at or about that time  2 concerning Ms. de Leon's issues with  3 student discipline?  4 A I don't know whether it was that  5 time or not, but our general handling  6 of that situation was that teachers had  7 to handle as much discipline as they  8 could in their classrooms. And then if  9 it was over and beyond what they could  10 do, they were to send them to the  11 office. And that was what we generally  12 did.  13 A At that time, I think,  14 around the school, around the building,  15 the different teachers were having a  16 point system where they were giving  17 points to each student for different  18 problems in the classroom. The  19 students helped to create that list of  20 disciplines.  21 Q You mean different infractions?  22 A Yes. It was like a  23 student/teacher interaction thing where  24 they would spend a whole period setting  25 up their consequences and they would</p>	<p>Page 17</p> <p>1 classroom. She also said that every  2 time I sent a student to the office, it  3 required a lot of paperwork and that  4 she didn't have time to handle it for  5 me. Do you recall telling her that the  6 paperwork was the issue?  7 A No. It was all computerized at  8 that point. We did have several pieces  9 of paper that we had to send out if we  10 gave them a detention, but I don't  11 recall that that was something that I  12 would have discussed with a teacher.  13 Q And it is accurate though that  14 teachers were supposed to handle most  15 of the discipline in their classroom?  16 A Absolutely.  17 Q And other teachers ---  18 A Did.  19 Q --- did?  20 A Yes.  21 Q The next paragraph indicates  22 that there was a meeting with Mrs.  23 Templeton, Mrs. Dixon, Mr. Fiorillo,  24 Mr. Bowser and Mr. Larry Williams. And  25 I think what she's trying to say there</p>

1 is she was mortified. And then she  
2 said, five minutes before the meeting  
3 took place, Mrs. Templeton was very  
4 argumentative and said that she had  
5 called for such a meeting because she  
6 was very concerned about the parents  
7 who had come to school for conferences.  
8 Mrs. Templeton wrote on several  
9 misconduct records that I should call  
10 the parents, so that is what I did. Do  
11 you recall anything at or about this  
12 time of January 1994?  
13 A I don't remember that meeting at  
14 all. I'm sorry. It may have happened.  
15 But another procedure, she's correct in  
16 my telling them for --- if the  
17 teacher's having a problem in a  
18 classroom --- I made the statement in a  
19 general meeting. I said, if you're  
20 having a problem with students in the  
21 classroom, then call the parent and let  
22 them know what's happening if it's a  
23 consistent problem. But, I also added,  
24 if the student has improved and has  
25 done something special, call them again

1 and tell them. You know, Johnny did a  
2 wonderful job. He made an A on his  
3 test. It may have been the first A he  
4 made all year. You know, don't just  
5 keep barraging that parent with mean,  
6 negative phone calls.  
7 Q Let me just ask you this. With  
8 regard to those phone calls, would  
9 those phone calls to the parent  
10 concerning a student be made in front  
11 of the classroom of all the other  
12 students?  
13 A Absolutely not. They would be  
14 made in the office in private.  
15 Q Okay. Let me show you what  
16 we'll mark as Exhibit Two. And this is  
17 a two-page letter --- or, memo, I  
18 should say, to Claudette Mitchell from  
19 George Deshner dated January 5th, 1994,  
20 concerning tardiness to school.  
21 (Templeton Exhibit Two  
22 marked for  
23 identification.)  
24 A Uh-huh (yes).  
25 BY ATTORNEY HEATH:

1 Q Do you recall any issue  
2 concerning Ms. de Leon and being tardy  
3 to school? And I believe this was also  
4 addressed in the prior exhibit, as  
5 well.  
6 A Yes. I remember vaguely that we  
7 were --- the principals and the  
8 administration is mostly out in the  
9 outer office or out in the halls early  
10 in the morning until after the bell  
11 rings. And we noticed that she was  
12 coming in late often.  
13 Q Now, how was her classroom at  
14 the time? How was it situated in  
15 relation to the office?  
16 A Well, most of the time, since  
17 she was low man on the totem pole in  
18 the school, in other words, she was the  
19 newest member of our faculty for a  
20 while, she was given --- I think she  
21 was a traveling teacher for a while.  
22 She was given a trailer once, and then  
23 we finally got enough room in our  
24 building, I think after the  
25 construction, to give her a classroom.

1 I'm not real sure about that, but I  
2 know she had a classroom. The  
3 classroom was next to the guidance  
4 office, the guidance wing. And that's  
5 the only classroom that's actually  
6 close to the office area so that if we  
7 saw students come out early or --- it  
8 was much more visible to us at that  
9 time.  
10 Q So when you say that you would  
11 notice her coming in late, or you would  
12 notice students coming out of her  
13 classroom early, did you have any type  
14 of plan to pick on her specifically or  
15 was it a matter of location?  
16 A I think it was a matter of  
17 location.  
18 Q And I say that because  
19 essentially, what the Plaintiff --- one  
20 of her allegations in her amended  
21 complaint in Federal Court is that she  
22 was singled out and treated differently  
23 based on her national origin and her  
24 gender.  
25 A No.



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<p>1 Q. Was her national origin ever an 2 issue with you?</p> <p>3 A. No. Not with me. I have 4 Mexican relatives, so it's never been 5 an issue with me.</p> <p>6 Q. Did any one from the 7 administration direct you to single out 8 Ms. de Leon?</p> <p>9 A. Never.</p> <p>10 Q. Did Mr. Desher ever tell you 11 that he had problems with her because 12 of her national origin?</p> <p>13 A. Never.</p> <p>14 Q. How long did you work with Mr. 15 Desher, in years?</p> <p>16 A. I've worked with Mr. Desher for 17 over ten years because I did my 18 assistantship with him.</p> <p>19 Q. In your experience, did you find 20 him to be biased towards women?</p> <p>21 A. Never. In fact, he was very 22 pro-women. He treated me right along 23 with a lot of respect. And I was the 24 first woman administrator in that 25 building, and we worked wonderful</p> <p>together.</p> <p>1 Q. Let me ask you to take a look at 2 what we'll mark as Exhibit Three, which 3 is a memorandum from you to Claudette 4 de Leon McCracken, dated September 18, 5 1997, concerning a student named Brian 6 McCall.</p> <p>7 A. Okay. I had forgotten about 8 that until I actually read this.</p> <p>9 Q. Okay. Hang on a second. She's 10 got to mark it.</p> <p>11 (Templeton Exhibit Three 12 marked for 13 identification.)</p> <p>14 BY ATTORNEY HEATH:</p> <p>15 Q. Does this memo refresh your 16 recollection concerning an instance 17 regarding Brian McCall in 1997?</p> <p>18 A. A little bit. Brian wanted out 19 of the class and he was sent to the 20 library. And I had to inform Mrs. de 21 Leon that we didn't do that. We had to 22 keep the child in the classroom. You 23 didn't use the library. And I did that 24 with several teachers who would send</p>	<p>1 behavior problems or something like 2 that to the library because the library 3 was just getting overloaded. And she 4 wasn't the only one that I had talked 5 to or sent a letter to regarding 6 something like this.</p> <p>7 Q. And we're going to go through 8 several more documents, and I'll ask 9 you specific questions about those 10 documents and I'll ask you some more 11 general questions.</p> <p>12 A. Okay.</p> <p>13 Q. The next document I'd like to 14 show you is a handwritten notation 15 signed by you dated October 10th, 1997. 16 (Templeton Exhibit Four 17 marked for 18 identification.)</p> <p>19 A. Yes. And that's when she had 20 her classroom. And she was situated 21 next to the guidance counselor. The 22 guidance suite is just down the hall 23 from us.</p> <p>24 BY ATTORNEY HEATH:</p> <p>25 Q. And you had indicated earlier</p> <p>1 that because of where her classroom was 2 located in relation to the office, to 3 you, it was very visible when the 4 students would come out?</p> <p>5 A. Yes. It was very visible, yeah.</p> <p>6 Q. And do you recall anything more 7 specifically about any response to this 8 note or any discussion with Ms. de Leon 9 concerning this issue?</p> <p>10 A. I don't recall. I don't recall 11 that.</p> <p>12 Q. Okay. The next document I'd 13 like to show you is a three-page 14 document to Claudette McCracken from 15 you dated October 3rd, 1997, concerning 16 a meeting.</p> <p>17 A. Yes.</p> <p>18 Q. And I'm going to ask you to take 19 a minute and take a look at that.</p> <p>20 (Templeton Exhibit Five 21 marked for 22 identification.)</p> <p>23 BY ATTORNEY HEATH:</p> <p>24 Q. Did you have an opportunity to 25 look at that document?</p>

<p>Page 26</p> <p>1 A.Yes. This is the second time I 2 read it, and I remember it quite well. 3 QLet's start with the first 4 paragraph and work our way through it. 5 It indicates that on September 30th, 6 four students came into my office 7 upset. What do you recall about that? 8 A.Okay. They came out of her room 9 and they were really upset because they 10 said that her discipline was unfair. 11 So I asked them to write down their 12 complaints or the specific problems 13 that they had with the classroom, 14 together as a group. 15 QNow, before this actually 16 occurred in September of 1997, had you 17 had any issues with Ms. de Leon and her 18 classroom discipline before? I know in 19 looking at Exhibit One there was some 20 mention made about that in 1994. Do 21 you recall there being any kind of 22 pattern concerning disciplinary 23 problems? 24 A.Only vaguely that there were and 25 that it's something that we had to</p>	<p>Page 28</p> <p>1 another person had finished speaking, 2 and you gave everybody equal time, 3 quiet time to talk, and then they came 4 together and came to some conclusions. 5 We got about halfway through --- 6 Q.Were you trying to implement 7 this strategy at this meeting? 8 A.Yeah. It worked very well with 9 other teachers and in meetings with 10 parents and so on. So what you do is 11 you set up the guidelines right at the 12 very beginning. And I recall telling 13 Mrs. Gourley that she is not to speak 14 until the end, until she's given the 15 opportunity to speak, that she would be 16 given that opportunity, and that Mrs. 17 de Leon was not to speak until I 18 finished going through the list. And 19 then after that, she would be able to 20 address the items on the list. 21 Well, I think we got about 22 halfway through that list and she just 23 was very accusatory. She said I'm 24 listening to the kids and not her. And 25 all kinds of things came down, and I</p>
<p>Page 27</p> <p>1 continue to work on. 2 Q.With her --- 3 A.Yes. 4 Q.--- over the years? 5 A.Yes. 6 Q.Okay. Go ahead. Around 7 September 30th, you asked them to 8 compile their complaints? 9 A.Yes. And they compiled their 10 complaints. Then I had asked Claudette 11 to sit down with me and we'd go over 12 those complaints. Now, at that 13 meeting, she did bring in Mrs. Gourley, 14 which is okay. They had a right to 15 have a teacher representative. In 16 fact, I was one at one time. However, 17 at that point in time, I was involved 18 with a student mediation, peer 19 mediation program that was --- 20 actually, it started in factories in 21 Japan where they started to use this 22 mediation plan where they involved a 23 lot of input from all the parties that 24 were involved. And the procedure was 25 that nobody was allowed to speak until</p>	<p>Page 29</p> <p>1 ended up having to conclude the overall 2 meeting. She started to get personal. 3 Q.With you? 4 A.Yes. 5 Q.Meaning what? 6 A.Well, like I was picking on her 7 and that kind of thing. 8 QNow, looking at page two, is 9 this what you're talking about? 10 A.Yeah. 11 QIf you look at the top of page 12 two, you say, Ms. de Leon McCracken 13 continued to interrupt me with personal 14 interjections regarding the students. 15 A.Yes. 16 QAnd then those are listed? 17 A.Uh-huh (yes). 18 QIs that accurate? 19 A.Yes. 20 QAnd did she take any 21 responsibility or any direction from 22 you at this meeting in order to improve 23 or ---? 24 A.I felt that she felt that this 25 was not supposed to be a constructive</p>



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<p>1 meeting, that this was just a let's  2 pick on Claudette meeting. I was  3 really hoping to get something out of  4 this where the kids could go back into  5 the classroom and be more comfortable  6 in the atmosphere and be able to learn.  7 These students that came into my office  8 were not bottom-level students. They  9 were quite bright kids.</p> <p>10 Q And their concerns were  11 essentially ---?</p> <p>12 A And they were very concerned  13 about their grades and the classroom  14 and the way they were treated. And I  15 found through the years that the kids  16 --- when you discipline a kid, and if  17 it's fair treatment, they take it very  18 easily because they know what's coming  19 if they've done an infraction of a  20 discipline. However, if they're being  21 treated unkindly or unfairly, they will  22 retaliate. And I was trying to defuse  23 that.</p> <p>24 Q And was Ms. de Leon at all  25 receptive to your ---</p>	<p>1 any input on the process has a right to  2 some input in the process. Are you  3 following me?</p> <p>4 Q Yes.</p> <p>5 A Okay. So therefore, now it's  6 more of a democratic situation. The  7 classroom is a democratic situation  8 rather than a dictatorship. And she  9 said, it's my classroom. I'll run it  10 the way I want. That's the way her  11 attitude was right down the line.</p> <p>12 Q And did you point out that you  13 had concerns relative to her rules that  14 were not being implemented?</p> <p>15 A They weren't flexible enough,  16 and some of them were just outrageous.  17 Q And they weren't implemented  18 with consistency?</p> <p>19 A Right. Favoritism was one of  20 the things the kids were really upset  21 about.</p> <p>22 Q Meaning what?</p> <p>23 A Well, she would favor one group  24 over another group.</p> <p>25 Q And implement different rules</p>
Page 31	Page 33
<p>1 A No, she wasn't.</p> <p>2 Q --- information?</p> <p>3 A Not at all.</p> <p>4 Q And if you go down towards the  5 bottom of the page --- Well,  6 actually, you were discussing with her,  7 on the first page over to the second  8 page, the point system ---</p> <p>9 A Yes.</p> <p>10 Q --- regarding the discipline and  11 particular rules?</p> <p>12 A Uh-huh (yes).</p> <p>13 Q And what was her response when  14 you were discussing specific guidelines  15 that were to be implemented on a  16 consistent basis?</p> <p>17 A Well, she was --- you see,  18 education has gone from one end --- or  19 it has changed as far as discipline.  20 When I was in school, the teacher was  21 the ruler, period. But it has  22 progressed. And also, the principal  23 was the ruler, and teachers never  24 questioned the principals, okay? But  25 since, over the years, anyone who has</p>	<p>1 or ---?</p> <p>2 A And different consequences for  3 the same infraction. And they  4 just ---.</p> <p>5 Q And if you look at your last  6 page of this three-page document, at  7 the bottom, what are those? Are those  8 conclusions?</p> <p>9 A Yes.</p> <p>10 Q What do they indicate?</p> <p>11 A Well, that she shows open  12 favoritism, and she does. She assigns  13 different consequences to the same  14 offense. That's exactly what I just  15 said. And she has her students working  16 on other students. They were to report  17 disruptive students if they saw them  18 misbehaving. But she had the students  19 doing things that she should have been  20 doing in her classroom. You don't do  21 that.</p> <p>22 Q You mean to have students turn  23 in each other?</p> <p>24 A Yes.</p> <p>25 Q Now, I don't mean to jump around</p>

<p>Page 34</p> <p>1 Here, but going back to the second page 2 of this document, towards the bottom it 3 says, I concluded the meeting when Ms. 4 de Leon McCracken began pointing her 5 finger at me and making accusatory 6 statements such as, you are 7 unprofessional You are always siding 8 with the students. Mrs. Templeton, 9 you, in caps, knows that we have this 10 thing between us. I said, no, would 11 you explain? And she says, because of 12 what has happened in the past, I know 13 you were trying to get rid of me. She 14 was pointing and raising her voice. 15 And I again denied her accusations. Do 16 you recall that outburst? 17 A I remember her saying that, but 18 I still to this day don't know what she 19 means, this thing between us, because I 20 treat all teachers the same. 21 Q In looking at her complaint that 22 she had filed with the Federal Court, 23 one of the allegations is that she was 24 retaliated against by the 25 administration because she had filed</p>	<p>Page 36</p> <p>1 worked during this time frame give you 2 the same amount of --- or have the same 3 issues that she had? 4 A No. 5 Q You indicated that students 6 would come to the office relative to 7 disciplinary problems from her 8 classroom all the time? 9 A Uh-huh (yes). 10 Q Was that more than other 11 teachers? 12 A Oh, yes. It was constant. 13 Q And other teachers were not 14 having this problem? 15 A No. 16 Q At this time, at this meeting, 17 was Ms. de Leon raising her voice? 18 A Yes. She was yelling. She was 19 out of control. 20 Q And what did you conclude at 21 that time? 22 A Well, I couldn't get through to 23 her. I felt that the meeting wasn't 24 successful. I wasn't able to have any 25 kind of conclusion. I thought she</p>
<p>Page 35</p> <p>1 grievances and/or contacted the 2 Pennsylvania Human Relations Commission 3 relative to her complaints. Was that 4 an issue with you? 5 A Never. 6 Q Did you target her after you 7 knew that she had --- and I know you 8 were aware of the grievances that had 9 been filed and were involved --- 10 A Sure. 11 Q --- in some of those hearings. 12 A Yes. 13 Q Did you target her specifically 14 after that? 15 A Never. 16 Q Did you have a plan to get rid 17 of her? 18 A No. 19 Q Relative to what you were trying 20 to discuss with her concerning student 21 discipline, were your expectations 22 essentially the same as they were for 23 other teachers? 24 A Absolutely. 25 Q Did other teachers with whom you</p>	<p>Page 37</p> <p>1 looked at that list that the students 2 had written as a threat to her 3 position. And meetings with teachers, 4 whether it's on something like this or 5 whether it's sitting down and talking 6 to her about her evaluation, are always 7 supposed to be productive. That's the 8 tool that we use to better teachers, 9 make teachers better. It was for me. 10 Q The evaluation and the 11 observations? 12 A Sure. You always improve. 13 You're constantly improving. And 14 you're not expected to know everything 15 there is about everything. And if 16 somebody else can give you more insight 17 as to a better way of doing something, 18 then it's supposed to be used in that 19 vein. 20 Q And as an administrator, were 21 you coming from --- relative to your 22 interactions with teachers, were you 23 coming from --- or did you rely on the 24 fact, or your experience, that you had 25 been a teacher yourself?</p>

<p>Page 38</p> <p>1 A I don't understand what you're 2 saying.</p> <p>3 Q I'm not articulating my question 4 very clearly. When you became an 5 assistant principal, did you utilize 6 the tools that you had learned when you 7 were a teacher in your interactions 8 with teachers?</p> <p>9 A Some of them. Some of them I 10 learned from the other teachers. I 11 think my best resource was with the 12 special ed department. They had 13 wonderful --- when I did observations 14 there, I was gleaning things from them, 15 as well as my making recommendations as 16 we went along. The English department, 17 some of the procedures they used that 18 they got from workshops and brought, 19 you know, to the floor, I would use and 20 suggest to other teachers. So it was 21 like a sharing of different methods and 22 procedures. Like the point system, I 23 didn't think that up. That was 24 something that the special ed 25 department had been using. And I'll</p> <p>Page 39</p> <p>1 say the have probably the hardest 2 problem with discipline. And they've 3 been using it, and very successfully. 4 So that's when I suggested that to her. 5 Q And in suggesting those kinds of 6 tools to Ms. de Leon, were you trying 7 to criticize her, or put her on the 8 defensive in any way, or threaten her 9 job?</p> <p>10 A Not in any way, no.</p> <p>11 Q What was your purpose?</p> <p>12 A My purpose was to make her a 13 better teacher, to take suggestions and 14 apply them to her classroom. And if it 15 didn't work, then come back to the 16 drawing board and we'll rehash it and 17 maybe find out something --- I'm very 18 creative. We could find out a 19 different way of doing something. 20 Q Did she ever cooperate with you 21 and work with you in that regard?</p> <p>22 A I don't recall that she ever 23 did.</p> <p>24 Q And how did she react?</p> <p>25 A Oh, excuse me. Yes, she did.</p>	<p>Page 40</p> <p>1 I'm sorry. And that would be jumping 2 to another thing. I suggested one time 3 that --- this is what I did because I 4 picked it up in college classes, to 5 evaluate my class at the end of the 6 year. And as they evaluated --- you 7 had a very general format. And I think 8 I gave her a copy of it. I think I dug 9 it out and gave her a copy of it. And 10 it was what do you like best about my 11 class? What do you like the least 12 about my class? What would you suggest 13 I could improve? But it wasn't 14 specific. It was just kind of a 15 generality. And then there was always 16 a statement. And I gave those to each 17 one of my students at the end of every 18 year that I taught. I read through 19 them and then I would take them into 20 consideration. And I think that by the 21 end of my teaching career, like I said, 22 I became very good in my classroom. 23 Q And you think she did that?</p> <p>24 A I don't think she --- She was 25 very interested in it, but she made up</p> <p>Page 41</p> <p>1 her own and it was a lot of different 2 questions that I would never have put 3 in an evaluation form.</p> <p>4 Q Meaning what? Were they 5 inappropriate questions?</p> <p>6 A Yeah, I felt that they were. I 7 mean, they weren't general. They were 8 too specific.</p> <p>9 Q While I'm looking for my 10 exhibit, relative to Ms. de Leon and in 11 working with her over the years, did 12 you have any --- did you see any issues 13 that continued to recur over the years 14 that you addressed with her?</p> <p>15 A I didn't see any improvement.</p> <p>16 Q And what kind of issues are we 17 talking about?</p> <p>18 BRIEF INTERRUPTION 19 BY ATTORNEY HEATH:</p> <p>20 Q What kind of issues are we 21 talking about? I'm sorry. Do you 22 recall?</p> <p>23 After classroom discipline didn't 24 seem to improve at all. I think the 25 last year that I was there, I did an</p>
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<p>1 observation in her class. And after 2 the observation, students came to me 3 and said that it was not a normal 4 classroom, that that was one of the 5 better classes that I had observed, 6 that they weren't normally like that. 7 They were mostly just given handouts or 8 --- they weren't learning anything. 9 But that was from the students coming 10 to me. And I don't think they were had 11 students. I think they were about C or 12 B students. 13 Q Did they ever come to you 14 concerning losing assignments? 15 A Something comes to my mind --- 16 Q Or notebooks? Missing 17 notebooks, anything like that? Do you 18 recall anything like that? 19 A I don't recall any --- I 20 recall something, but I'm not sure if 21 it's with her or not. I remember one 22 time a bunch of kids came to me and 23 said that their papers were all lost 24 because they flew out the back window 25 of a car. But I don't remember whether</p>	<p>1 That should be the option of the 2 teacher. 3 Q Let me just direct your 4 attention to --- 5 A And it didn't cover discipline. 6 Q --- the third page. It has 7 number two at the top, but it's 8 actually the third page. It starts 9 with number 24 and it talks about 10 grading. 11 A Uh-huh (yes). What is the 12 purpose of getting a report card? 13 Q Yes. Then it says --- look at 14 number 26. Can you read that? 15 A Have you been encouraged to 16 discuss personal matters on a 17 confidential basis? That's 18 inappropriate. 19 Q And looking down towards the 20 bottom there, look at number 34. What 21 does that say? 22 A How often did I make PMS jokes? 23 What did I say? Again, that's 24 inappropriate. 25 Q Look at the last page, number</p>
Page 43	Page 45
<p>1 it was her car or another teacher's, 2 you know, so I can't be specific there. 3 Q Let me mark this as Exhibit Six. 4 And I'll ask you to take a look at 5 that, please. 6 (Templeton Exhibit Six 7 marked for 8 identification.) 9 A Yes. This is what I was 10 referring to. 11 BY ATTORNEY HEATH: 12 Q And is this, when you had 13 indicated to her about the self 14 evaluation process being a tool ---? 15 A Yes. See, first of all, there's 16 37 items. It shouldn't be that in 17 depth. It should be maybe just a few 18 general items. She did use the first 19 two. What do you like most about my 20 class? What do you like least about 21 it? What would you change? Those 22 things I kept on mine. I didn't go 23 into grading because we have a school 24 policy on grading. Should class 25 participation be part of your grade?</p>	<p>1 36. 2 A Thirty-six (36)? How often do I 3 talk about my daughter and what did I 4 say? Again --- 5 Q And that would be inappropriate? 6 A Uh-huh (yes). 7 Q Now, in reviewing this material, 8 does it refresh your recollection at 9 all as to some of the issues that had 10 come up in the past with her concerning 11 inappropriate discussions she may have 12 had in her classroom? 13 A From what we were told from 14 other students, yes. 15 Q And what do you recall? 16 A Well, I recall that --- and this 17 is hearsay from the students and things 18 and what they would say, that she'd 19 badmouth the administration quite a 20 bit, which, you know, it's her right to 21 do that, but not in front of the 22 students. That she talked --- I really 23 --- it would be very --- 24 Q Did you hear about the PMS 25 comments?</p>

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<p>1 A. Yeah, I heard about those 2 and --- 3 Q. And about her daughter? 4 A. I've heard about her talking 5 about her daughter, but I don't 6 remember what exactly she was talking 7 about. 8 Q. Was it something about her 9 dress? 10 A. I don't know. 11 Q. Do you recall student 12 confidentiality, a breach of student 13 confidentiality, being an issue with 14 her, talking about students' 15 grades ---? 16 A. No, I don't remember that. 17 Q. Accusing kids of being cheaters, 18 anything along those lines? 19 A. Yes. That. She was very 20 accusatory toward her students, and 21 that was part of the unfairness part. 22 Q. Did you ever recall something 23 about her, during spirit week, wearing 24 a bra outside of her shirt? 25 A. Yes. Spirit week was a week</p>	<p>1 that she was going to come into school 2 and see all the teachers dressed like 3 that, but apparently somebody told her 4 that it wasn't appropriate. 5 Q. Do you recall anything else, as 6 you sit here today, about your 7 interactions with Ms. de Leon other 8 than what we've already talked about? 9 A. Only that my overall feeling was 10 that she was always very hostile during 11 any kind of a conference or meeting. 12 She took everything very personally and 13 did not apply any suggestions to her 14 classroom or her professionalism. 15 Q. We had a woman come in yesterday 16 for a deposition who used to be a 17 teacher with the School District named 18 Debra Englebaugh. And she taught a 19 couple of years in the early 1990s at 20 the Meadville High School. It was her 21 contention that she was singled out and 22 discriminated against because she was a 23 woman, and she mentioned specifically 24 Mr. Deshner and she did mention you, as 25 well. Do you recall Mrs. Englebaugh?</p>
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<p>1 where every day, they're assigned a 2 certain thing. The kids made them up. 3 One day they all wear all black. One 4 day they wear all whatever color or 5 whatever they'd make up, a pajama day 6 or something like that. This one 7 particular day was inside-out day, 8 which is a common one. And we just 9 turn our shirts and our sweatshirts and 10 clothes inside-out. Claudette came 11 into school with her bra on the outside 12 of her dress. I didn't see it. None 13 of the administration had seen it. But 14 the students started to come into the 15 office after about the first period, 16 and we went down, and at that point, 17 somebody had already told her that that 18 was inappropriate. 19 Q. Was it disruptive? 20 A. Well, certainly it was 21 disruptive. The kids were --- 22 Q. In your opinion, did that show 23 good professional judgment? 24 A. No. Very poor professional 25 judgment. I think she probably thought</p>	<p>1 A. I vaguely recall. She wasn't 2 there at the high school for very long. 3 And again, she was on the other --- she 4 was, again, in one of the classrooms 5 that was closest to the office. She 6 was in the art department and she 7 taught photography. I can't recall her 8 face right now, but I remember some 9 things. I remember that when she came 10 into school, she looked like she fell 11 out of bed. I mean, her clothes were 12 wrinkled. Not dirty, but very 13 unprofessional. And I remember very 14 clearly she liked having the students 15 like her rather than being a teacher 16 and a leader. She wanted to be one of 17 them. She seemed to --- that's where 18 she was going. And I remember that she 19 talked a lot about the administration. 20 She was very anti-administration for 21 some reason. 22 Q. Talked to the students about it? 23 A. Yes. And at one point, there 24 was a poster on her hall board where 25 she put her displays that was very</p>



<p>Page 50</p> <p>1 anti-administration. And that happened 2 a couple of times. 3 Q And do you recall an issue where 4 she was accusing the administration of 5 listening into her classroom --- 6 A Right. 7 Q --- on an intercom? 8 A Yeah. I don't know where she 9 got that. If she would have come to 10 the administration and talked to us 11 about it or something, maybe we could 12 have found out why she thought that 13 way. We were never allowed to, nor did 14 we want to, listen into a classroom. I 15 mean, we didn't --- 16 Q And specifically, was that 17 something with an actual directive? 18 A That was never a directive. In 19 fact --- 20 Q I mean that you would not do it? 21 A Oh, absolutely. That was just 22 something we just never would do, never 23 listened in on a --- she may have heard 24 some clicking. Maybe they were going 25 to make an announcement and there was</p>	<p>Page 52</p> <p>1 classroom and we're walking by, we have 2 the right to go into that classroom. 3 Q But you couldn't see in, 4 obviously? 5 A We couldn't see in, no. It's 6 more of a safety thing than anything 7 else. 8 Q Do you recall any issues with 9 regard to hall passes and students? 10 A Oh, she used to give hall 11 passes. Kids were walking around the 12 halls with these passes like the whole 13 period. 14 Q And you did discuss these issues 15 with her? 16 A Oh, sure. They were routine 17 questions and routine things. That's 18 what we would do with any teacher. 19 Q And did you single her out 20 because she was a woman? 21 A No. I'm a woman. 22 Q And percentage-wise, would you 23 say that there was a higher percentage 24 of women within the District than men, 25 teacher-wise?</p>
<p>Page 51</p> <p>1 some clicking on it, you know, on the 2 loudspeaker. And sometimes the 3 loudspeakers weren't working right. 4 You know, she may have heard that. She 5 may have heard this hollow sound. 6 Sometimes maybe it was left on after an 7 announcement. You know, I don't know 8 because she never came to us about 9 that. But we never actually --- we 10 never did that. She used to cover up 11 her windows. I mean, she used to do 12 things. She'd cover up --- we'd do --- 13 14 Q Windows meaning what, to the 15 hallway? 16 A The hallway, yeah. Well, she 17 needed dark in her room, but she 18 covered up the windows all the time. 19 And I remember we had to tell her a 20 number of times to keep that open. 21 Even our office window --- we have a 22 little window in our office. Even the 23 office windows for my office, that 24 window's supposed to be kept open and 25 clear. If something happens in that</p>	<p>Page 53</p> <p>1 A In the high school --- oh, 2 within the District, yes, of course. 3 In the high school level, the ratio is 4 a little bit more evened out. 5 Q Mrs. Englebaugh was indicating 6 that she believed that she was a victim 7 of the old boys club. And I asked how 8 you fit into that scenario. Were you 9 ever directed that your job was on the 10 line to try to --- that you had to 11 harass her? 12 A Never. 13 Q Or intimidate her? 14 A Absolutely not. 15 Q Did Mr. Deshner ever indicate to 16 you that he had some issue when he 17 wanted his friend, Mr. Gettys, in that 18 photography position? 19 A Absolutely not. Mr. Deshner had 20 friends because he was a teacher in the 21 building for years and years and years 22 and had friends. But when he became a 23 principal, he was a principal --- and I 24 maintained this, too. You can have 25 friends as well as --- but if that</p>



<p>1 friend screwed up, you have the right -</p> <p>2 -- I'm sorry. If the friend fouled up,</p> <p>3 that you were the principal and you had</p> <p>4 to go to that friend, which is a hard</p> <p>5 thing to do, but you have to go to that</p> <p>6 friend and tell them, you know. And if</p> <p>7 he wasn't the right person for the job,</p> <p>8 or he was the better person for the</p> <p>9 job, either way, you're acting as a</p> <p>10 principal, not as a friend.</p> <p>11 Q And relative to Mr. Gettys, in</p> <p>12 fact, Mr. Deshner had you do his</p> <p>13 observations?</p> <p>14 A I was in charge of the</p> <p>15 observations for the entire art</p> <p>16 department. And his observations</p> <p>17 always were unsatisfactory,</p> <p>18 consistently unsatisfactory. He was an</p> <p>19 excellent teacher in the classroom. He</p> <p>20 had a great rapport. He was very</p> <p>21 artistic. He had a lot of really great</p> <p>22 things happening in the classroom.</p> <p>23 However, he never wrote his lesson</p> <p>24 plans, and that's a procedure that we</p> <p>25 require, mostly for substitute</p>	<p>1 him to task about issues that he ---?</p> <p>2 A He was a friend of Mr.</p> <p>3 Deshner's, I think, in college. That</p> <p>4 goes back a way long time. And I don't</p> <p>5 remember him ever being in his office</p> <p>6 for any length of time.</p> <p>7 Q What I'm asking is, did Mr.</p> <p>8 Deshner give him preferential treatment</p> <p>9 because he'd known him for a long time?</p> <p>10 A No, no. George never did that</p> <p>11 to anyone.</p> <p>12 Q That being what?</p> <p>13 A Preferential treatment. He</p> <p>14 treated everybody the same.</p> <p>15 Q Regardless of gender?</p> <p>16 A Regardless of gender.</p> <p>17 Q Regardless of friendship?</p> <p>18 A Regardless of friendship.</p> <p>19 Q Regardless of national origin?</p> <p>20 A Absolutely.</p> <p>21 ATTORNEY HEATH:</p> <p>22 I have no further</p> <p>23 questions.</p> <p>24 EXAMINATION</p> <p>25 BY ATTORNEY NICHOLS:</p>
<p>1 teachers, but for our own sake, too.</p> <p>2 And he never had his lesson plans.</p> <p>3 And after meetings with him ---</p> <p>4 and I'm talking about this in front of</p> <p>5 other teachers, this isn't professional</p> <p>6 on my part.</p> <p>7 Q No, no, because it's a lawsuit</p> <p>8 and it is permissible.</p> <p>9 A Okay. But even after I had</p> <p>10 meetings with him --- we had very</p> <p>11 congenial meetings. He knew what he</p> <p>12 was doing wrong. I knew what he was</p> <p>13 doing wrong. And he continued to do it</p> <p>14 wrong. It's nothing that he would be</p> <p>15 fired about, you know, or we would</p> <p>16 never --- because it wasn't --- it</p> <p>17 didn't involve the actual students.</p> <p>18 Because he was really good with</p> <p>19 students. He had a rapport with the</p> <p>20 students that was outstanding.</p> <p>21 However, he wasn't one of the kids. He</p> <p>22 always maintained that he was the</p> <p>23 teacher in the classroom.</p> <p>24 Q And even though he was Mr.</p> <p>25 Deshner's friend, you were still taking</p>	<p>1 Q Ms. Templeton, I'm Caleb</p> <p>2 Nichols. I'm representing Ms. de Leon</p> <p>3 ---</p> <p>4 A Okay.</p> <p>5 Q --- in this proceeding, this</p> <p>6 lawsuit that's been referred to. I</p> <p>7 have a few questions I'd like to ask</p> <p>8 you.</p> <p>9 A Certainly.</p> <p>10 Q Your tenure with the School</p> <p>11 District was from 1989 to 1999?</p> <p>12 A Correct.</p> <p>13 Q Okay. And you haven't been</p> <p>14 associated, affiliated or worked with</p> <p>15 the School District since 1999; is that</p> <p>16 correct?</p> <p>17 A That's with this school</p> <p>18 district.</p> <p>19 Q Right. With this school</p> <p>20 district.</p> <p>21 A Right. I've been a substitute</p> <p>22 at Lee County in Florida.</p> <p>23 Q Okay.</p> <p>24 A And I'm still on their records</p> <p>25 as a substitute.</p>

<p>Page 58</p> <p>1 Q During the course of your 2 previous testimony, you referred to 3 --- you said that Ms. de Leon was a, 4 quote, traveling teacher. 5 A Uh-huh (yes). 6 Q What does that mean? 7 A Well, we had not enough rooms 8 for the teachers. So what we did with 9 Mrs. de Leon is she had a little cart 10 that she pushed around with all her 11 things, and she had to be assigned --- 12 we tried to give her one room as many 13 times as we could, you know, in other 14 words, jump at least two periods in a 15 row or three periods in a row in one 16 class. But sometimes we couldn't. It 17 was a matter of scheduling. 18 Q A traveling teacher does not 19 have a homeroom, so to speak? 20 A Not at that point, no. We 21 didn't have homerooms for traveling 22 teachers. 23 Q So they necessarily move from 24 one classroom to another; is that 25 correct?</p>	<p>Page 60</p> <p>1 to me it was a good while. We had 2 trailers. We had a shortage before our 3 building was built. We had --- 4 Q It would have been, of course, 5 during your tenure there, right? 6 A Yes. 7 Q So it would have been prior to 8 1999; is that correct? 9 A Yes. No --- yes, it would be. 10 Probably --- 11 Q Prior to 1999? 12 A I'm not sure what year she came 13 to us. She came from Cochran. And 14 I'm not sure what year she came to us, 15 but I think she was a traveling teacher 16 --- maybe she can help us out, for at 17 least three years --- two years, three 18 years. Claudette, do you remember? 19 ATTORNEY HEATH: 20 Just whatever you recall 21 is fine. Don't guess. If you 22 don't remember, you don't 23 remember. 24 A Okay. 25 BY ATTORNEY NICHOLS:</p>
<p>Page 59</p> <p>1 A Correct. That's a tough job. 2 Q Right. And it's tough because 3 partly for the logistics of it, 4 physical logistics, having to move, 5 travel? 6 A Uh-huh (yes). 7 Q Why is it tough? 8 A Well, it's tough because for one 9 reason --- one of the reasons it's 10 tough is just the physical thing of 11 moving that cart around. 12 Q Right. 13 A She had to leave as soon as the 14 bell rang. She didn't have any 15 downtime, like that three minutes 16 between class periods where other 17 teachers --- if the student wanted to 18 stop and talk, she didn't have that 19 luxury unless they walked with her, you 20 know, through the hall. Those little 21 things. 22 Q What period are we talking about 23 she functioned as a traveling teacher? 24 What period are we talking about? 25 A I can't really tell. It seemed</p>	<p>Page 61</p> <p>1 Q Okay. And you do recall that 2 prior to 1999, Ms. de Leon went out on 3 sabbatical leave? You were aware of 4 that? On medical leave. 5 A I'm not sure she did or not. 6 She may have that year. See, I retired 7 December of '99. She may have been 8 that semester, but I was not actively 9 in the office during that fall 10 semester. I was using up my sick leave 11 and so on, because my husband was ill. 12 Q Okay. The reason I asked, in 13 terms of time, she functioned as a 14 traveling teacher? 15 A That was before that. 16 Q Before that? 17 A It was before that, yes. 18 Q Okay. 19 A She had a classroom for about at 20 least two years, three years before I 21 left. 22 Q All right. 23 A I'm pretty sure. 24 Q Now, under the existing policy, 25 I understand in terms of high schools,</p>

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<p>1 the Meadville Area High School, ---</p> <p>2 A. Correct.</p> <p>3 Q. --- the principal assigned</p> <p>4 o office space to teachers; is that</p> <p>5 correct?</p> <p>6 A. No.</p> <p>7 Q. Who would make the assignments</p> <p>8 of office space?</p> <p>9 A. Office space?</p> <p>10 ATTORNEY HEATH:</p> <p>11 Office space or</p> <p>12 classroom?</p> <p>13 BY ATTORNEY NICHOLS:</p> <p>14 Q. Classroom, I should say.</p> <p>15 Classroom space.</p> <p>16 A. Oh, we did. We did to teachers,</p> <p>17 yes. Yes, we gave the room</p> <p>18 assignments</p> <p>19 Q. That would be the office of the</p> <p>20 principal, right?</p> <p>21 A. Correct. Yes.</p> <p>22 Q. Mr. Destner's office?</p> <p>23 A. Yes.</p> <p>24 Q. Of course, you were part of his</p> <p>25 office?</p>	<p>1 BY ATTORNEY NICHOLS:</p> <p>2 Q. With the assignment of office</p> <p>3 space to teachers, that policy was</p> <p>4 followed?</p> <p>5 A. Yes.</p> <p>6 Q. On the basis of seniority,</p> <p>7 you're saying?</p> <p>8 A. Not just on ---. Yes, pretty</p> <p>9 much so. And the consequences of their</p> <p>10 job, you know.</p> <p>11 Q. When you say the consequences of</p> <p>12 their job, what do you mean?</p> <p>13 A. Well, for instance, if she was</p> <p>14 able, there are some teachers --- like</p> <p>15 I'm a home economist. I couldn't have</p> <p>16 been a traveling teacher. I had to</p> <p>17 have a workroom and I had to have ---</p> <p>18 this is what I said about the science</p> <p>19 department. If the science teacher was</p> <p>20 the last man on the totem pole and he</p> <p>21 needed a lab, we couldn't very well</p> <p>22 assign him as a traveling teacher.</p> <p>23 Q. I see. So it was based not only</p> <p>24 on seniority, but there were other</p> <p>25 factors?</p>
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<p>1 A. Yeah. Well, we worked on it as</p> <p>2 a group.</p> <p>3 Q. And in making such assignments,</p> <p>4 in this case, Ms. de Leon being a</p> <p>5 traveling teacher, what criteria would</p> <p>6 you use, or did you use, to determine</p> <p>7 who would function as a traveling</p> <p>8 teacher as opposed to other teachers, I</p> <p>9 take it, who had a facility?</p> <p>10 A. She was the youngest member of</p> <p>11 the faculty.</p> <p>12 Q. So it was based on seniority,</p> <p>13 you're saying?</p> <p>14 A. Pretty much so. However, if it</p> <p>15 were a science teacher and they needed</p> <p>16 the equipment in a particular lab, or</p> <p>17 something like that, it would be</p> <p>18 different.</p> <p>19 Q. Was that policy followed</p> <p>20 consistently?</p> <p>21 A. We had more than one.</p> <p>22 Q. With respect to the assignment</p> <p>23 of ---.</p> <p>24 ATTORNEY HEATH:</p> <p>25 More than one?</p>	<p>1 A. Other factors, yes.</p> <p>2 Q. And some of those other factors</p> <p>3 would be based on the need to have</p> <p>4 access to ---</p> <p>5 A. To equipment.</p> <p>6 Q. --- equipment?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Would there be other</p> <p>9 reasons?</p> <p>10 A. No.</p> <p>11 Q. No other reason sticks in your</p> <p>12 mind ---</p> <p>13 A. Not that I can think of.</p> <p>14 Q. --- that would be a basis for</p> <p>15 assigning classroom facilities to</p> <p>16 teachers?</p> <p>17 A. No. I can't think of anything.</p> <p>18 Q. Okay. You also mentioned in</p> <p>19 your testimony that students came to</p> <p>20 you, I take it from time to time with</p> <p>21 complaints or with comments --- or</p> <p>22 complaints, I suppose you could call</p> <p>23 it, concerning Ms. de Leon; is that</p> <p>24 correct?</p> <p>25 A. That's correct.</p>

<p>Page 66</p> <p>1 Q And when students approached you 2 from time to time with these 3 complaints, what was the --- did the 4 school, the principal's office have a 5 standard operating policy or procedure 6 by which it handles student complaints? 7 A We addressed all student 8 complaints because the principals are 9 in custody of those students while 10 they're away from their parents. 11 Q What was the standard policy, 12 though, I mean, as to any student who 13 would come with a complaint to the 14 principal's office? 15 A Okay. 16 Q Not necessarily meaning 17 that ---. 18 A Yeah. Well, they would come to 19 the outside office first. Okay. 20 They'd come into the outside office 21 first. And whoever was available, 22 whatever principal, there's three of 23 us, that was available at the time, the 24 secretary would come in and say there's 25 a group of students from this class, or</p>	<p>Page 68</p> <p>1 then you handle the teachers and then 2 try to bring them together. There are 3 many ways that you can handle that type 4 of situation. 5 Q So it varied from --- 6 A It varied. 7 Q --- one situation to another? 8 A Yes. If it was one student, 9 maybe it was the student's problem and 10 we could, you know, kind of weed that 11 out. Maybe the student had a problem, 12 you know. But if it was the classroom 13 situation --- like I said, there's 14 different reasons and different ways 15 you ---. 16 Q Did you typically conduct an 17 investigation? 18 A Yes, we did. 19 Q You mentioned groups of students 20 would come to you? 21 A Yeah. 22 Q And how would you go about 23 conducting an investigation? 24 A Well, for instance, if it was a 25 study hall situation, we would go down</p>
<p>Page 67</p> <p>1 that class, or whatever, do you have 2 time to see them? And we would say 3 yes. So it just so happened that these 4 kids from Mrs. de Leon's class got me 5 that day. 6 Q Okay. 7 A And that was our procedure. 8 Q All right. And as to how you 9 would mechanically handle any complaint 10 from a student, tell us, what would you 11 do? How would you proceed from point 12 one to two, three, four? Was there a 13 standard procedure by which you would 14 have addressed the concerns of the 15 student? 16 A Well, the procedure that I used 17 in the documentation is the procedure I 18 normally used. Different situations 19 are different. But I have them list 20 them so that I have them in writing, 21 you know. If I could bring the teacher 22 and the student together, that would be 23 fine. Sometimes it wasn't good, wasn't 24 a good situation. If it was a volatile 25 situation, you handle the students and</p>	<p>Page 69</p> <p>1 and find out where the student was 2 sitting, who sat around them, question 3 the students that were sitting around 4 them and try to find similarities in 5 the problem. 6 Q Okay. And then you would 7 proceed to ---? 8 A Then we would proceed to address 9 it. 10 Q I see. Okay. Well, would you 11 usually involve the teacher? 12 A Almost always. And often the 13 parent. 14 Q I see. Was the teacher given an 15 opportunity to state his or her 16 position? 17 A Always. 18 Q I see. What if the student came 19 to you, members of the staff of --- the 20 principal staff, without first taking 21 the problem to the teacher? Would you 22 receive the complaint --- 23 A Yes. 24 Q --- if the student went around 25 the teacher in the first instance and</p>

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<p>1 came directly to the principal's 2 office --- 3 A. Yes. 4 Q. --- for relief? 5 A. Either way. 6 Q. You would receive the student? 7 A. Uh-huh (yes). And sometimes the 8 teacher would come to us regarding a 9 student without going to the student 10 first. 11 Q. And in the event where the 12 teacher would come to you in the first 13 instance, what would be your reception 14 to the teachers? 15 A. The same as it would be for the 16 students. 17 Q. You would receive it? 18 A. I would receive it. We'd 19 investigate it. We'd see if we could 20 solve it. And --- 21 Q. Now, this standard procedure 22 that you had followed in handling the 23 student complaints, would that also be 24 followed by other assistant principals 25 --- 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000</p>	<p>1 this --- and you also touched upon 2 another thing, I think obliquely, is 3 the authority of the teacher in the 4 classroom. You mentioned under the old 5 rules --- I think you referred --- to 6 use your words, the old ---. 7 A. Right. 8 ATTORNEY HEATH: 9 Objection. There's not a 10 question pending, so I don't 11 want to get into --- this is not 12 a discussion. Just let him ask 13 his question. 14 A. Okay. 15 BY ATTORNEY NICHOLS: 16 Q. My question is this. Is it not 17 generally the view, in terms of --- is 18 it not generally the view of Crawford 19 Central that the teacher is the primary 20 disciplinarian in the classroom? Is 21 that correct? Is that a correct view? 22 A. That would be the first line of 23 discipline. 24 Q. All right. And is it correct 25 also that the teacher's authority to 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000</p>



<p>Page 74</p> <p>1 Q Okay. Now, may I direct you to 2 a couple of specific instances as it 3 relates to the exercise of authority by 4 Ms. de Leon? 5 A Yes. 6 Q I have a letter here from you 7 dated February 29th, 1996, to Ms. de 8 Leon. 9 ATTORNEY HEATH: 10 May I see that? 11 ATTORNEY NICHOLS: 12 Yes. 13 BY ATTORNEY NICHOLS: 14 Q You say, it has been brought to 15 my attention that you are tape 16 recording classes. After discussing 17 this matter with George Desjener, I'm 18 instructing you to cease this practice. 19 Do you recall that letter? 20 A Yes, I remember that. 21 Q You recall that letter? 22 A Yes, yes. 23 Q Okay. 24 ATTORNEY HEATH: 25 Are you marking that?</p>	<p>Page 76</p> <p>1 discipline reasons. And you can't do 2 that without parent permission. And we 3 had her send out parent permission 4 slips, and she was only allowed to do 5 it for this class that we gave 6 permission to. 7 Q But my question is, because you 8 directed her to discontinue in the 9 first instance, did you inquire why she 10 was taping? This student is physically 11 challenged, in fact, a blind student. 12 Did you inquire with respect to Mr. 13 Osborne being a blind student that she 14 had to accommodate, did she not, under 15 the ADA law? 16 A I don't recall --- 17 ATTORNEY HEATH: 18 It would be special 19 education. It would be the 20 IDEA, not necessarily the ADA. 21 A But that would be in his IEP, 22 too. 23 ATTORNEY HEATH: 24 That's correct. 25 BY ATTORNEY NICHOLS:</p>
<p>Page 75</p> <p>1 ATTORNEY NICHOLS: 2 Yes. I would ask that it 3 be marked, please. I guess --- 4 what is it, de Leon ---? 5 ATTORNEY HEATH: 6 Templeton Seven. 7 (Templeton Exhibit Seven 8 marked for 9 identification.) 10 BY ATTORNEY NICHOLS: 11 Q And then following on the heels 12 of that is another letter from you to 13 Ms. de Leon, dated March 19th, 1996. 14 And you said, writing to Ms. de Leon, 15 Ms. Mitchell, you may begin to 16 videotape the class that Eric Osborne 17 is attending. That will be period one. 18 All the necessary permission forms 19 have been turned in. Do you recall 20 having written that? 21 A Uh-huh (yes). I think before 22 that happened though, before this 23 letter went out --- I'm trying to 24 think. I vaguely remember this. She 25 was taping her classes, I think for</p>	<p>Page 77</p> <p>1 Q Yes, but what I'm saying is, 2 before you sent this directive to her 3 instructing her to cease --- 4 A Yes. 5 Q --- taping, did you inquire that 6 it was necessary for her to accommodate 7 this blind student or maybe other 8 physically challenged students? 9 A Well, --- 10 Q Did you inquire into that? 11 A --- at that point, we didn't 12 know ---. She was just taping, and 13 that's not a policy in our building to 14 tape a classroom. So --- 15 Q How do you accommodate a 16 student ---? 17 ATTORNEY HEATH: 18 Would you please let her 19 finish? 20 A It's not a policy for us to tape 21 anybody without permission from 22 parents. And if Eric was in ---. Just 23 now, since you brought it up, Eric was 24 a blind student. He was really a nice 25 little kid. And he needed ---</p>



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<p>1 apparently, she felt that he needed 2 that to be videotaped for his class for 3 some reason or other. But I also 4 observe and attend all of the IEPs for 5 special ed. That was not in his IEP 6 unless we had to rewrite it into his 7 IEP or make an addendum to his IEP. 8 BY ATTORNEY NICHOLS: 9 Q When you say IEP, what are you 10 referring to? 11 A That's his individual 12 instruction --- IE --- 13 ATTORNEY HEATH: 14 Individual education 15 plan --- 16 A Education plan. 17 ATTORNEY HEATH: 18 --- under the IDEA law, 19 which is what is applicable to 20 special education students. 21 BY ATTORNEY NICHOLS: 22 Q Let me ask you this then, 23 though. Is not the school district 24 bound by the ADA law and the other laws 25 which mandate that you reasonably</p>	<p>1 I don't think that the School 2 District is exempt from --- 3 ATTORNEY HEATH: 4 I don't want to get into 5 a legal disagreement. 6 ATTORNEY NICHOLS: 7 Right. 8 ATTORNEY HEATH: 9 But I'm just putting on 10 the record that you should be 11 aware of the differentiation. 12 And when she's talking about an 13 IEP, that is how any, quote, 14 unquote, accommodations are 15 implemented in the District --- 16 ATTORNEY NICHOLS: 17 Yes, but my --- 18 ATTORNEY HEATH: 19 --- according to federal 20 law. 21 ATTORNEY NICHOLS: 22 Yes, but my query still 23 stands that I posed to Ms. 24 Templeton. 25 BY ATTORNEY NICHOLS:</p>
Page 79	Page 81
<p>1 accommodate students who are physically 2 challenged? 3 A If we do it, it has to be in 4 their IEP. 5 ATTORNEY HEATH: 6 I think you're confusing 7 the ADA, Mr. Nichols, and what 8 the School District's 9 obligations are under federal 10 law concerning a student's 11 education. There's the 12 Rehabilitation Act that applies 13 to education, --- 14 ATTORNEY NICHOLS: 15 Yes, that's --- 16 ATTORNEY HEATH: 17 --- and there's also the 18 IDEA. 19 ATTORNEY NICHOLS: 20 That's true, but also 21 there is the ADA, which also 22 mandates reasonable 23 accommodation in the cases of 24 schools, accommodating students 25 who are physically challenged.</p>	<p>1 Q And that is --- well, whether 2 we're talking about IDEA, whether we're 3 talking about ADA or some other federal 4 mandate which requires that the school 5 district accommodate students who are 6 physically challenged, in this case, 7 the student being blind, I was asking 8 before you directed the teacher to 9 cease taping, did you make an inquiry 10 to find out why she was taping this 11 class? That's my question. 12 A Okay. My response to that was 13 we noted that she was tape recording, 14 and since we don't tape record for any 15 reason in the District, we asked her to 16 cease it until we investigated it, 17 which we investigated it. And it 18 happened to be involving Eric, who is a 19 blind student. And unless it is --- 20 and I will reiterate, unless it's in 21 his IEP that we make that concession, 22 then it would have been no. But we 23 adjusted --- we probably --- I don't 24 know --- 25 Q Are all students screened when</p>

<p>Page 82</p> <p>1 they come in for the IEP?</p> <p>2 ANo. Just special needs</p> <p>3 students.</p> <p>4 Q) sec. Well, how do you</p> <p>5 determine who are the special needs</p> <p>6 students?</p> <p>7 AWell, they go ---.</p> <p>8 ATTORNEY HEATH:</p> <p>9 I'm going to object</p> <p>10 because I think you're getting</p> <p>11 far ahead. But go ahead and</p> <p>12 answer the question.</p> <p>13 AWell, they're defined through a</p> <p>14 series, or a battery, of psychological</p> <p>15 tests. But the mainstream student</p> <p>16 usually is not earmarked.</p> <p>17 ATTORNEY NICHOLS:</p> <p>18 Okay. I would ask that</p> <p>19 you mark these also, please.</p> <p>20 (Templeton Exhibit Eight</p> <p>21 marked for</p> <p>22 identification.)</p> <p>23 BY ATTORNEY NICHOLS:</p> <p>24 QNow, you went on to testify ---</p> <p>25 continuing on the students bringing</p>	<p>Page 84</p> <p>1 QYou were never concerned about</p> <p>2 the message it would send to the</p> <p>3 students?</p> <p>4 ANo.</p> <p>5 QThat was never a concern to you?</p> <p>6 ANo. We had an obligation to the</p> <p>7 students, on behalf of their parents,</p> <p>8 to investigate it.</p> <p>9 QUnderstood. I understand the</p> <p>10 pecking order. Teachers, as you</p> <p>11 described, are the first line in the</p> <p>12 classroom in terms of authority figure.</p> <p>13 AWell, you're talking about ---.</p> <p>14 ATTORNEY HEATH:</p> <p>15 Objection. There's no</p> <p>16 question pending. Wait until he</p> <p>17 asks you a question.</p> <p>18 AOkay.</p> <p>19 BY ATTORNEY NICHOLS:</p> <p>20 QAnd of course, the principal</p> <p>21 would being in the mix of the pecking</p> <p>22 order, so to speak, in terms of</p> <p>23 authority in the school. I understand</p> <p>24 that. But I was concerned about the</p> <p>25 message that would be sent ---.</p>
<p>Page 83</p> <p>1 complaints to you and to other</p> <p>2 administrators, I take it --- and I was</p> <p>3 inquiring about the standard operating</p> <p>4 procedure you would use to verify</p> <p>5 whether these allegations would be true</p> <p>6 or whether they had any substance to</p> <p>7 them. And you said that you would</p> <p>8 routinely conduct the investigations;</p> <p>9 is that correct?</p> <p>10 ACorrect.</p> <p>11 QYou mentioned also that a group</p> <p>12 of students would bring complaints to</p> <p>13 you in the first instance, having gone</p> <p>14 around the teacher and come directly,</p> <p>15 that you would receive the complaint?</p> <p>16 AUh-huh (yes).</p> <p>17 QLet me ask you, in that case,</p> <p>18 were you concerned that that would send</p> <p>19 a message to students that they could</p> <p>20 ignore, disregard the authority of a</p> <p>21 teacher ---</p> <p>22 ANo.</p> <p>23 Q--- by going around the</p> <p>24 teacher ---?</p> <p>25 ANo.</p>	<p>Page 85</p> <p>1 ATTORNEY HEATH:</p> <p>2 She answered your</p> <p>3 question already.</p> <p>4 ACan we shut this off for a</p> <p>5 minute?</p> <p>6 ATTORNEY HEATH:</p> <p>7 No.</p> <p>8 AOkay. Because I think there's a</p> <p>9 discrepancy here.</p> <p>10 ATTORNEY HEATH:</p> <p>11 Well, I'll have an</p> <p>12 opportunity when he's finished</p> <p>13 to ask you to clarify.</p> <p>14 AOkay.</p> <p>15 BY ATTORNEY NICHOLS:</p> <p>16 QWhat would you like to clarify,</p> <p>17 the discrepancy, what you perceive to</p> <p>18 be a discrepancy?</p> <p>19 AI think you're confusing one</p> <p>20 thing over another. There's a</p> <p>21 difference between a complaint</p> <p>22 regarding a teacher and discipline in</p> <p>23 the classroom.</p> <p>24 QOkay.</p> <p>25 AAnd you're talking about a</p>

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<p>1 complaint of a group of students coming 2 to me regarding issues that they had 3 with the teacher in general. So I 4 would be the most appropriate person 5 for those students to come to see to 6 mediate it. 7 Q Okay. I have read the record of 8 some of the complaints that were 9 brought by students, but it's not clear 10 to me. Would you care to specify the 11 nature of the complaints that the 12 students lodged against Ms. de Leon? 13 A It's been a long time. 14 ATTORNEY HEATH: 15 Are you talking 16 specifically about what we've 17 already marked as an exhibit 18 that's a detailed memorandum 19 about these complaints? Are you 20 talking complaints over ten 21 years? What are you talking 22 about? 23 BY ATTORNEY NICHOLS: 24 Q Well, as best as you can 25 remember. You said that they brought</p> <p>complaints --- ATTORNEY HEATH: You mean this one particular group or others? BY ATTORNEY NICHOLS: Q Well, were there others, I mean, --- A Yes, there were others. Q There were others? A I don't see them documented, but I remember vaguely. I've been out of the District for five years now. Q Would you care to just briefly state the nature of the complaints ---? A Mostly unfairness. Just things regarding unfairness and unfair practices, favoritism, those kinds of generalities. And I can only be general. I'm sorry. Q You say unfairness and favoritism. I mean, can you be more specific how she was unfair to a student or students? A We've talked about this before. Students being told to tell on other</p>	<p>1 students, the unfairness of her 2 discipline, her giving out --- she had 3 an awful lot of disciplines, in-school 4 suspensions, those kind of --- not 5 in-school suspensions --- whatever they 6 call it. I forget. But anyway, 7 disciplines where the kids had to stay 8 after school. 9 Q Detention? 10 A Detentions. Excuse me. She had 11 an extraordinarily large number of 12 detentions. 13 Q Let me ask you this. Did she 14 give out any sanctions or disciplinary 15 measures that were beyond her authority 16 to give out? Was she not authorized or 17 empowered to give out the sanctions 18 that she gave out? 19 A She was empowered to discipline 20 her classroom and to give out those 21 detentions. However, the students were 22 upset because they felt that the nature 23 of the detention --- the crime didn't 24 fit the punishment. 25 Q Well, that is not unusual. I</p> <p>1 mean most people on the receiving end 2 of a sanction always feel that way. 3 That's not uncommon, is it? 4 ATTORNEY HEATH: 5 Objection to form. 6 A Yes, it is. 7 BY ATTORNEY NICHOLS: 8 Q Oh, okay. I have a letter here 9 from you to Ms. de Leon and Ms. 10 McCracken, and it's dated October 1st, 11 '97. And you direct her --- in other 12 words, you direct her to --- that 13 detentions that she has imposed on a 14 student will be postponed. 15 ATTORNEY NICHOLS: 16 I would ask that that be 17 marked. 18 A Can I read that, please? 19 ATTORNEY HEATH: 20 Can I see it first? 21 A Sure. 22 ATTORNEY HEATH: 23 Thank you. 24 (Templeton Exhibit Ten 25 marked for</p>

<p>1 identification.)</p> <p>2 BY ATTORNEY NICHOLS:</p> <p>3 Q Do you recognize that letter?</p> <p>4 A Yes.</p> <p>5 Q Okay. What's been marked as</p> <p>6 Exhibit Ten?</p> <p>7 A Okay.</p> <p>8 Q Right. Were there other</p> <p>9 occasions in which you directed that</p> <p>10 sanctions that had been imposed by Ms.</p> <p>11 de Leon to be nullified, or withdrawn,</p> <p>12 or countermanded?</p> <p>13 A They weren't countermanded and</p> <p>14 they weren't withdrawn. This letter</p> <p>15 states that until I was able to look</p> <p>16 into it, because there was such a large</p> <p>17 number of students involved, until I</p> <p>18 met with you and we discuss this</p> <p>19 matter, these teacher detentions would</p> <p>20 be postponed. They're just postponed.</p> <p>21 Q All right.</p> <p>22 A They weren't countermanded or</p> <p>23 anything else. But the top paragraph,</p> <p>24 she was in violation of the procedure.</p> <p>25 Q All right. So you said they</p>	<p>Page 90</p> <p>1 Q But we have a situation, based</p> <p>2 upon your communication, which revoked</p> <p>3 or at least calls into question or</p> <p>4 stops --- postpones a directive ---</p> <p>5 ATTORNEY HEATH:</p> <p>6 Objection.</p> <p>7 BY ATTORNEY NICHOLS:</p> <p>8 Q --- issued by a teacher. And</p> <p>9 then you and Ms. de Leon met in an</p> <p>10 effort to resolve the matter, and then</p> <p>11 unfortunately, the meeting is concluded</p> <p>12 without resolution, and therefore ---.</p> <p>13 ATTORNEY HEATH:</p> <p>14 Objection. This is not</p> <p>15 testimony. Could you ask the</p> <p>16 question?</p> <p>17 BY ATTORNEY NICHOLS:</p> <p>18 Q What I'm asking you, and I just</p> <p>19 want to be clear on this, the sanction</p> <p>20 that Ms. de Leon has imposed had been</p> <p>21 called into question. What happened</p> <p>22 --- and you say you don't remember.</p> <p>23 The students went free then, I guess.</p> <p>24 A I don't know.</p> <p>25 ATTORNEY HEATH:</p>
<p>1 were postponed. May I ask then, what</p> <p>2 happened subsequent in terms of your</p> <p>3 order, your directive, I should say?</p> <p>4 A This was the same group of</p> <p>5 students that we had talked about</p> <p>6 earlier where we had them list their</p> <p>7 complaints and I tried to mediate it</p> <p>8 with her in a meeting.</p> <p>9 Q And you said the meeting</p> <p>10 concluded ---</p> <p>11 A Yes.</p> <p>12 Q --- without resolution?</p> <p>13 A Without resolution.</p> <p>14 Q Does that mean the students then</p> <p>15 were exonerated from any --- went free</p> <p>16 with impunity?</p> <p>17 A I don't recall what happened</p> <p>18 after that. But like I said, I've been</p> <p>19 out of the system for a long time and I</p> <p>20 don't remember what happened after</p> <p>21 that.</p> <p>22 Q So we have a situation ---?</p> <p>23 A I may have said to the students</p> <p>24 that you have to serve that detention.</p> <p>25 I may not have. I don't recall.</p>	<p>Page 91</p> <p>1 Objection. She answered</p> <p>2 the question. She doesn't</p> <p>3 remember.</p> <p>4 A I don't recall.</p> <p>5 ATTORNEY HEATH:</p> <p>6 Don't badger her to get</p> <p>7 an answer you want to have out</p> <p>8 of her.</p> <p>9 ATTORNEY NICHOLS:</p> <p>10 All right. Okay.</p> <p>11 BY ATTORNEY NICHOLS:</p> <p>12 Q I just want to be clear as to</p> <p>13 where we are in terms of the way a</p> <p>14 situation was handled by the</p> <p>15 administration vis-à-vis a teacher who</p> <p>16 sought to do her duty. All right.</p> <p>17 Let's move on. Earlier you</p> <p>18 acknowledged that you knew Ms.</p> <p>19 Englebaugh, who taught at the School</p> <p>20 District early on, I believe in the</p> <p>21 early '90s.</p> <p>22 A Very vaguely.</p> <p>23 Q And you were assistant principal</p> <p>24 then?</p> <p>25 A I was the assistant principal</p> <p>Page 93</p>

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<p>1 then, yes.</p> <p>2 Q And therefore, you knew her in</p> <p>3 connection with your supervisory</p> <p>4 responsibilities?</p> <p>5 A Yes.</p> <p>6 Q And your Counsel has alluded to</p> <p>7 this point. Yesterday she testified on</p> <p>8 the record that her experience as a</p> <p>9 teacher with MASH was, quote, a</p> <p>10 horrifying, close quote, experience. I</p> <p>11 asked her what accounted for that. She</p> <p>12 attributed that in part, at least in</p> <p>13 part, to her gender.</p> <p>14 A I don't know where she came from</p> <p>15 there.</p> <p>16 Q Do you agree with that?</p> <p>17 A No, not at all.</p> <p>18 Q And she also said that you were</p> <p>19 instrumental in that and the carrying</p> <p>20 out of that horrifying experience ---.</p> <p>21 ATTORNEY HEATH:</p> <p>22 Objection.</p> <p>23 A In what way?</p> <p>24 BY ATTORNEY NICHOLS:</p> <p>25 Q As I remember, if my memory</p>	<p>1 Q You also said that, when</p> <p>2 referring to the complaints you</p> <p>3 received from students, you referred to</p> <p>4 --- you acknowledge, you said that they</p> <p>5 were hearsay. It as always hearsay,</p> <p>6 right? That was your testimony, wasn't</p> <p>7 it? That what you received from the</p> <p>8 students, you had no direct knowledge</p> <p>9 of these --- it was hearsay, secondhand</p> <p>10 information; is that correct?</p> <p>11 A Much of it was, yes.</p> <p>12 Q Much of it. And you relied on</p> <p>13 pretty much that ---</p> <p>14 A No.</p> <p>15 Q --- what the students told you?</p> <p>16 A No.</p> <p>17 Q Well, what independent sources</p> <p>18 would you rely upon, other than this</p> <p>19 hearsay the students would bring to</p> <p>20 you, concerning ---?</p> <p>21 A I'm a little confused as to what</p> <p>22 he wants from me.</p> <p>23 Q I'm asking a question.</p> <p>24 ATTORNEY HEATH:</p> <p>25 Do you understand the</p>
Page 95	Page 97
<p>1 serves me correctly ---.</p> <p>2 ATTORNEY HEATH:</p> <p>3 Just ask the question.</p> <p>4 BY ATTORNEY NICHOLS:</p> <p>5 Q If my memory serves me ---.</p> <p>6 ATTORNEY HEATH:</p> <p>7 Don't testify. Ask her a</p> <p>8 question.</p> <p>9 ATTORNEY NICHOLS:</p> <p>10 I understand, Counsel.</p> <p>11 Allow me.</p> <p>12 BY ATTORNEY NICHOLS:</p> <p>13 Q Is that you being also a female,</p> <p>14 why would that be the case? And she</p> <p>15 said that she understood you were doing</p> <p>16 really the bidding of the</p> <p>17 administration. Were you doing the</p> <p>18 bidding ---?</p> <p>19 ATTORNEY HEATH:</p> <p>20 Objection. Asked and</p> <p>21 answered. I already went over</p> <p>22 this on Direct.</p> <p>23 ATTORNEY NICHOLS:</p> <p>24 Okay.</p> <p>25 BY ATTORNEY NICHOLS:</p>	<p>1 question? Are you asking</p> <p>2 about ---</p> <p>3 ATTORNEY NICHOLS:</p> <p>4 All right. Let me pose</p> <p>5 that question again.</p> <p>6 ATTORNEY HEATH:</p> <p>7 --- what she does in the</p> <p>8 investigation that she's already</p> <p>9 talked about?</p> <p>10 ATTORNEY NICHOLS:</p> <p>11 No, no. It's a specific</p> <p>12 question. Allow me to</p> <p>13 reiterate.</p> <p>14 BY ATTORNEY NICHOLS:</p> <p>15 Q I asked you specifically, what</p> <p>16 independent sources, apart from the</p> <p>17 hearsay information and allegations</p> <p>18 that the students were bringing to you</p> <p>19 concerning Ms. de Leon, that you relied</p> <p>20 upon in making your decision as to how</p> <p>21 to handle student complaints?</p> <p>22 ATTORNEY HEATH:</p> <p>23 Objection. It's not</p> <p>24 specific. Are you specifically</p> <p>25 talking about this incident</p>



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<p>1 in ---</p> <p>2 ATTORNEY NICHOLS:</p> <p>3 Any student complaints.</p> <p>4 ATTORNEY HEATH:</p> <p>5 --- 1997?</p> <p>6 ATTORNEY NICHOLS:</p> <p>7 Student complaints in</p> <p>8 general.</p> <p>9 AAs I stated before, when</p> <p>10 students from any teacher came to us,</p> <p>11 we investigated them. We handled them</p> <p>12 in different ways. Different</p> <p>13 principals had different methods,</p> <p>14 different tools of the trade, as did I.</p> <p>15 I didn't handle everything exactly the</p> <p>16 same way every time.</p> <p>17 BY ATTORNEY NICHOLS:</p> <p>18 QI sec. Okay. Now, there were</p> <p>19 at least two arbitration proceedings</p> <p>20 where Ms. de Leon grieved during the</p> <p>21 '90s. And I think at least those two</p> <p>22 would have occurred prior to your</p> <p>23 retirement in 1999.</p> <p>24 ACorrect.</p> <p>25 QDid you participate in any of</p>	<p>1 QAnd that would have been</p> <p>2 testimony given by you; is that</p> <p>3 correct?</p> <p>4 A I don't know whether I gave</p> <p>5 testimony or not. If I did, it was</p> <p>6 very brief. I think Mr. Deshner did</p> <p>7 most of the testimony, the procedure.</p> <p>8 QOkay. All right. And you left</p> <p>9 in '99. Were you aware of Ms. de</p> <p>10 Leon's emotional condition?</p> <p>11 ANever.</p> <p>12 QYou were not?</p> <p>13 ANo, never. Only the last ---</p> <p>14 toward the very end, I think she did</p> <p>15 take a sabbatical because of something</p> <p>16 that happened toward the very end. And</p> <p>17 she claimed that it was an emotional</p> <p>18 disability or something or other, but</p> <p>19 --- and she was gone for a while, and</p> <p>20 then I left.</p> <p>21 QI sec. I just got a couple more</p> <p>22 questions I'd like to ask you on what</p> <p>23 we have right here. In reviewing the</p> <p>24 record, Ms. Templeton, I went back to</p> <p>25 1989 and came forward up to 1999, and I</p>
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<p>1 those arbitration proceedings?</p> <p>2 AYes.</p> <p>3 QAnd the first one, there was</p> <p>4 Arbitrator Stollenberg. He presided as</p> <p>5 the arbitrator. Did you participate in</p> <p>6 that one?</p> <p>7 A I did, but I recall very little</p> <p>8 of it.</p> <p>9 QDid you testify? Do you recall</p> <p>10 if you testified?</p> <p>11 A I may have. I don't remember</p> <p>12 whether I did or not.</p> <p>13 QI sec.</p> <p>14 A I was there.</p> <p>15 QYou don't recall the specifics?</p> <p>16 ANo. No, I don't.</p> <p>17 QOkay. And the second one was</p> <p>18 presided over by Arbitrator Talarico.</p> <p>19 Do you recall that one, also?</p> <p>20 A I was there, as well, but again,</p> <p>21 I don't recall --- I don't even recall</p> <p>22 what it involved.</p> <p>23 QBut as to the second one, you</p> <p>24 also participated; correct?</p> <p>25 AYes, I did.</p>	<p>1 selected evaluations that you had done,</p> <p>2 prepared for Ms. de Leon.</p> <p>3 AOkay.</p> <p>4 QAnd I must say, just looking at</p> <p>5 the face value of --- what is</p> <p>6 represented in the face, and I wanted</p> <p>7 to call you as a witness because all of</p> <p>8 them are laudatory.</p> <p>9 AAll of them are what?</p> <p>10 QLaudatory.</p> <p>11 ATTORNEY HEATH:</p> <p>12 Objection.</p> <p>13 BY ATTORNEY NICHOLS:</p> <p>14 QSatisfactory.</p> <p>15 ATTORNEY HEATH:</p> <p>16 Are you going to ask her</p> <p>17 a question?</p> <p>18 BY ATTORNEY NICHOLS:</p> <p>19 QAnd my question is this.</p> <p>20 ATTORNEY HEATH:</p> <p>21 Would you let her see</p> <p>22 them if you're going to refer to</p> <p>23 them?</p> <p>24 ATTORNEY NICHOLS:</p> <p>25 Sure. I have them right</p>



<p>Page 102</p> <p>1 here.</p> <p>2 BY ATTORNEY NICHOLS:</p> <p>3 Q I'll ask you to take a look at</p> <p>4 them.</p> <p>5 ATTORNEY NICHOLS:</p> <p>6 I would ask that they be</p> <p>7 marked for the record. And</p> <p>8 sure, take a moment to show her</p> <p>9 these.</p> <p>10 (Templeton Exhibit 11</p> <p>11 marked for</p> <p>12 identification.)</p> <p>13 ATTORNEY HEATH:</p> <p>14 There's also</p> <p>15 observations. You said</p> <p>16 evaluations. There's also</p> <p>17 observations.</p> <p>18 ATTORNEY NICHOLS:</p> <p>19 Yes.</p> <p>20 WITNESS REVIEWS DOCUMENTS</p> <p>21 A. These are both the same. Are</p> <p>22 they just duplicate copies?</p> <p>23 BY ATTORNEY NICHOLS:</p> <p>24 Q Right. These are both the same.</p> <p>25 Right.</p>	<p>Page 104</p> <p>1 other things. It does not include</p> <p>2 discipline. This doesn't include</p> <p>3 discipline. This one ---.</p> <p>4 ATTORNEY HEATH:</p> <p>5 Which is an observation</p> <p>6 form?</p> <p>7 A It's not an observation.</p> <p>8 ATTORNEY HEATH:</p> <p>9 Oh.</p> <p>10 A It's the general form at the end</p> <p>11 of the year we give out. It's</p> <p>12 appendix A.</p> <p>13 ATTORNEY HEATH:</p> <p>14 Okay.</p> <p>15 A It deals mostly with</p> <p>16 professionalism. Although she prepares</p> <p>17 her lessons according to District</p> <p>18 guidelines, which I had told her to at</p> <p>19 the very beginning, because that was</p> <p>20 one of the problems. And she did. She</p> <p>21 conformed to that. I had no problem</p> <p>22 with her lesson plans.</p> <p>23 ATTORNEY HEATH:</p> <p>24 What year is it?</p> <p>25 A This was '97. Well, she has it</p>
<p>Page 103</p> <p>1 A. Okay. I think this is a</p> <p>2 duplicate, as well.</p> <p>3 Q My question, and very briefly,</p> <p>4 my last question here is, your</p> <p>5 evaluations of Ms. de Leon, which speak</p> <p>6 for themselves, were very laudatory and</p> <p>7 recommendable, are in variance with</p> <p>8 what you testified here this morning.</p> <p>9 You portrayed her this morning as being</p> <p>10 sarcastic, not cooperative. But these</p> <p>11 belie that fact. These speak for</p> <p>12 themselves.</p> <p>13 ATTORNEY HEATH:</p> <p>14 Do you have a question?</p> <p>15 BY ATTORNEY NICHOLS:</p> <p>16 Q My question is, why is that,</p> <p>17 Ms. ---?</p> <p>18 A Because these ---.</p> <p>19 Q I want to account for that</p> <p>20 discrepancy.</p> <p>21 A Right. This teacher evaluation</p> <p>22 was developed between a cooperation</p> <p>23 between the teachers' union and the</p> <p>24 administration. It deals primarily</p> <p>25 with procedures in the classroom and</p>	<p>Page 105</p> <p>1 crossed out, so I guess it was '96-'97.</p> <p>2 On this one, the earlier one was in</p> <p>3 '92. So she did do that. But we were</p> <p>4 talking primarily about discipline and</p> <p>5 professionalism.</p> <p>6 BY ATTORNEY NICHOLS:</p> <p>7 Q But I mean, ---.</p> <p>8 A This doesn't address that.</p> <p>9 Q Well, this addresses her job</p> <p>10 description, that she fulfilled her job</p> <p>11 description. This is what they sought</p> <p>12 to do, evaluate, right? Whether she</p> <p>13 was doing her job?</p> <p>14 A This isn't an evaluation. This</p> <p>15 is ---.</p> <p>16 Q Well, I'm talking about --- some</p> <p>17 of these are evaluations; are they not?</p> <p>18 A Yeah, yeah.</p> <p>19 Q And that's what you sought to</p> <p>20 evaluate when you sat and, as you did</p> <p>21 evaluate her?</p> <p>22 A Uh-huh (yes).</p> <p>23 Q And I'm simply saying what you</p> <p>24 put down in writing here. That's all</p> <p>25 I'm simply asking you. That picture's</p>

<p>1 not right. I see here satisfactories  2 consistently. But you're telling us  3 this morning, on this record, oo, she  4 was sarcastic and she was always ---  5 ATTORNEY HEATH:  6 Objection.  7 BY ATTORNEY NICHOLS:  8 Q--- all these other negatives.  9 ATTORNEY HEATH:  10 Mr. Nichols, ---  11 BY ATTORNEY NICHOLS:  12 QThat's all I'm saying.  13 ATTORNEY HEATH:  14 --- this is not your  15 platform. This is a deposition.  16 ATTORNEY NICHOLS:  17 All right. That's all.  18 That's all I have. Leave it  19 right there. Leave it right  20 there. This is for the record.  21 All right?  22 AWell, as I stated before, under  23 her observation, it covers areas of  24 planning, technique, effectiveness,  25 instructional technique and</p>	<p>Page 106</p> <p>1 the addendum, Ms. Templeton?  2 A I commend --- you always do a  3 commendation and then you do a  4 recommendation.  5 QRight. Would you be kind enough  6 to read that addendum?  7 AAnd this was dated 1997. If I  8 may read the first one?  9 QSure.  10 AOkay. The first one was in '97  11 as well. This is the third and then  12 this is the fifth, then there was an  13 earlier one. What are these dates  14 marked out on these for? That one's  15 '92.  16 QYou know, I saw that and I don't  17 know. When I got it, that's the way it  18 was marked.  19 All's not my handwriting.  20 QI don't know.  21 All's not my handwriting. Here,  22 the '92. But I don't have an  23 evaluation for the '92. But on an  24 earlier one, I had stated that she  25 needed to update her lesson plans,</p> <p>Page 108</p>
<p>1 effectiveness, teacher/student  2 interaction, personal characteristics  3 and management and organization. And  4 it does not include discipline.  5 ATTORNEY HEATH:  6 What you're looking at,  7 can you identify the record  8 you're reading from?  9 AOkay. This is the report of  10 classroom visitation. It's  11 different ---  12 ATTORNEY HEATH:  13 From the evaluation?  14 ANo. This is the evaluation.  15 ATTORNEY HEATH:  16 Okay.  17 AOkay. And ---  18 ATTORNEY HEATH:  19 Isn't there an addendum  20 on that document?  21 A I always wrote the little  22 addendum and taped it to it so that I  23 could clarify it.  24 BY ATTORNEY NICHOLS:  25 QWould you be kind enough to read</p> <p>Page 107</p>	<p>1 writing objectives, the topic,  2 procedure, assignment and so on, which  3 she apparently did.  4 ATTORNEY HEATH:  5 In 1997?  6 AAfter our meeting, she did that.  7 And then the last one was, I commend  8 Ms. de Leon McCracken on her lesson  9 plans. She has submitted lesson plans,  10 including the criterion directed by the  11 School District, in the form as I  12 required. I commend Mrs. de Leon  13 McCracken in her record keeping, her  14 attendance, seating charts and grade  15 procedures. Grading procedures are  16 correctly in place after the initial  17 one. Okay.  18 Then I recommend that Mrs. de  19 Leon call on individual students with  20 their hands that are raised during the  21 review process. If students do not  22 respond, I would recommend a quick quiz  23 to determine understanding to be  24 initiated. If the material has not  25 been learned, in your judgement, a</p> <p>Page 109</p>

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<p>1 re-learning unit should be instituted.</p> <p>2 One or two students dominated the</p> <p>3 review portion of the class while I was</p> <p>4 doing this observation. During my</p> <p>5 observation of the review, many</p> <p>6 students did not respond at all or</p> <p>7 responded very little.</p> <p>8 ATTORNEY NICHOLS:</p> <p>9 That's all the questions</p> <p>10 I have, Ms. Templeton. I thank</p> <p>11 you for coming.</p> <p>12 A. Thank you.</p> <p>13 RE-EXAMINATION</p> <p>14 BY ATTORNEY HEATH:</p> <p>15 Q. There's just a couple of</p> <p>16 follow-ups. You had indicated --- and</p> <p>17 I believe on Direct we had talked about</p> <p>18 students accepting or rejecting</p> <p>19 consequences of particular disciplinary</p> <p>20 actions. And Mr. Nichols, on Cross</p> <p>21 Examination, said something to the</p> <p>22 effect that people are never satisfied</p> <p>23 with the consequences of their action,</p> <p>24 and you said no, and I think you didn't</p> <p>25 have an opportunity to finish your</p>	<p>1 tenure, was she the only one that was a</p> <p>2 traveling teacher?</p> <p>3 A. No. We had, I think, up to</p> <p>4 three.</p> <p>5 Q. Was she made a traveling teacher</p> <p>6 as any consequence of filing a</p> <p>7 grievance, or taking time off, or</p> <p>8 anything of that nature?</p> <p>9 A. No. The grievances were</p> <p>10 something that was set aside after the</p> <p>11 negotiations. We've had other</p> <p>12 grievances. They're treated as</p> <p>13 teachers as a whole.</p> <p>14 ATTORNEY HEATH:</p> <p>15 Thank you. I have</p> <p>16 nothing further.</p> <p>17 * * * * *</p> <p>18 DEPOSITION CONCLUDED AT 11:45 A.M.</p> <p>19 * * * * *</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p>1 answer.</p> <p>2 A. That's not true. First of all,</p> <p>3 my belief is that a student, when they</p> <p>4 mess up or they talk out in class, they</p> <p>5 know that there's going to be a</p> <p>6 consequence and they know that they're</p> <p>7 going to have to meet that consequence.</p> <p>8 In my experience, dealing with</p> <p>9 thousands and thousands of students on</p> <p>10 a daily basis and dealing out</p> <p>11 consequences, they are not upset over</p> <p>12 the consequences of a deed that they</p> <p>13 feel is fair. They are very upset if</p> <p>14 they feel that something is unfair, and</p> <p>15 they will retaliate. They will</p> <p>16 misbehave even more. They will do</p> <p>17 everything they can.</p> <p>18 Q. And was the fairness issue the</p> <p>19 crux of why those students came to</p> <p>20 you ---</p> <p>21 A. Exactly.</p> <p>22 Q. --- in September of '97?</p> <p>23 A. Exactly.</p> <p>24 Q. Relative to Ms. de Leon being a</p> <p>25 traveling teacher, throughout your</p>	<p>Page 111</p>